

**City of York Board of Zoning Appeals
Minutes
January 23, 2023**

Members Present:

Chairperson James Ramere

Rodney Blair

Jill Neff

Myra Sinz

Members absent:

Strauss Shiple

Becca Caldwell

Bryant Brown

Others present:

Planning Director Breakfield

Zoning Administrator Blackston

Planner Kim Womble

(See sign – in sheet)

Chairperson James Ramere called the meeting to order at 6:00 pm.

The first item of business was approval of the draft Minutes from the November 14, 2022 meeting. Upon a Motion by Rodney Blair, seconded by Jill Neff, the Board of Zoning Appeals (BZA) unanimously approved the Minutes as submitted.

The second item of business was a special exception request for a liquor store to be located at 326 South Congress Street (Pride Quick Stop LLC) in the GI – General Industrial Zoning District.

Chairperson Ramere convened a public hearing regarding the application, announced an order of business for the public hearing and requested that City staff provide information regarding the application.

Planning Director Breakfield indicated the following regarding the application:

1. As Chairperson Ramere noted, the second item of business was a special exception application for a proposed liquor store to be located at 328 South Congress Street.
2. The applicant was Adel Alshaman and the property is referenced by York County Tax Map ID # 0701304007.
3. The property is currently zoned GI- General Industrial.
4. Liquor stores are only allowed in the GI – General Industrial zoning district by special exception approval subject to a minimum 250 feet separation from any cemetery. The distance shall be determined by measuring the shortest straight-line distance between the structure housing the liquor store and the property of the designated property line.
5. The applicant has requested approval of the special exception application per the supporting information provided in the meeting packet

6. As the special exception application and supporting information are reviewed, the BZA must be mindful that the following criteria must be met before special exception approval can be issued.
The criteria should be included and addressed in a BZA Motion.
 - a. The proposed design and location of the particular development.
 - b. The possible traffic-generating characteristics of the proposed development.
 - c. The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
 - d. The availability of public utilities, facilities and services.
7. Please be mindful that the BZA has a maximum of 75 days from the initial public hearing regarding this application to make a decision regarding such applications; otherwise, the application is deemed approved.
8. If the application is denied by the BZA, the same application cannot be submitted again for a period of at least one (1) year.
9. The BZA must conduct a public hearing(s), receive public feedback and make a final decision on the matter. The public hearing for this application is scheduled for this meeting.
10. As with all public hearings, the agenda was posted to a local newspaper, the City's website and at York City Hall; all adjacent property owners were notified by mail; the Public Hearing was duly advertised in a local newspaper and Public Hearing signage was posted on each affected property.

After closing the public hearing, discussion by the BZA and upon a Motion by Jill Neff, seconded by Rodney Blair, the BZA unanimously conditionally approved the application based on the applicant adhering to City guidelines, removal of signs from the windows, painting the building and removing the lights in the windows.

The third item of business was approval of the 2023 draft meeting calendar.

Upon a Motion by Rodney Blair, seconded by Myra Sinz, the 2023 meeting calendar was approved as submitted.

There being no further business, the meeting was adjourned at 6:18 pm.

Respectfully submitted,

C. David Breakfield Jr., MCP, AICP
Planning Director

Amanda C. Blackston
Zoning Administrator

cc: City Manager Dalton Pierce
File- Board of Zoning Appeals 1/23/2023